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U.S. Patent Application No. 09/688,282 4/10/02  
Attorney Docket No. 00101-137-USP a-d.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard J. Helferich

Group Art Unit: 2684

Serial No.: 09/688,282

Examiner: Not yet assigned

Filed: October 13, 2000

For: **System and Method for  
Delivering Information to a  
Transmitting and Receiving  
Device**

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Certificate

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Dated: 4-3-02

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Vicki L. Hudson

The Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants hereby make of record in the above-identified application the documents listed on the attached PTO/SB/08 (substitute for form PTO-1449) (submitted in duplicate)<sup>1</sup>. The order of presentation of the references should not be construed as an indication of the importance of the references.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based

on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants have checked the appropriate items below:

- X   1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491, OR before the mailing date of a first Office Action on the merits, whichever event occurs last. No certification or fee is required. 37 C.F.R. 1.97(b).
2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Rejection or Notice of Allowance. 37 C.F.R. 1.97(c).
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- c. Attached is our check in the amount of \$240.00 in payment of the fee under 37 C.F.R. 1.17(p). Please charge any fee deficiencies, or

credit any overpayment, to Deposit Account No. 50-1734 to ensure consideration of the Information Disclosure Statement. A duplicate copy of this paper is attached.

- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage, AND after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith, along with our Check No.          in the amount of \$          in payment of the fee under 37 C.F.R. 1.17(i)(1). Please credit or debit Deposit Account No. 50-1734 as needed to ensure consideration of the Information Disclosure Statement. A duplicate copy of this paper is attached.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(a)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- ☐ 4. The Document(s) were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided.
- ☐ 5. A concise explanation of the non-English language document(s) appears in the attached appendix.
- ☒ 6. The Examiner's attention is directed to the following co-pending U.S. Patent Applications and Issued Patents which are directed to related technical subject matter: Application S.N. 08/933,344, filed September 19, 1997, now U.S. Patent No. 6,253,061; Application S.N. 08/934,337, filed September 19, 1997, now U.S. Patent No. 6,259,892; Application S.N. 08/934,143 filed September 19, 1997, now U.S. Patent No. 6,233,430; Application S.N. 08/934,132, filed September 19, 1997, now U.S. Patent No. 6,087,956; Application S.N. 08/989,874, filed December 12, 1997,

now U.S. Patent No. 6,097,941; Application S.N. 09/613,345, filed July 10, 2000; Application S.N. 09/688,321, filed October 13, 2000; Application S.N. 09/860,954, filed May 18, 2001; and Application S.N. 09/513,998, filed February 23, 2000. The identification of this/these U.S. Patent Application(s) is not to be construed as a waiver of secrecy as to this/these application(s) now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application(s) and the art cited therein during examination of the above-identified application(s).

- X 7. The Document(s) identified in the attached forms PTO-1449 and PTO-892<sup>2</sup> was/were cited by or submitted to the Office in Application S.N. 08/933,344, filed September 19, 1997, now U.S. Patent No. 6,253,061, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08, and indicate in the official file wrapper of this patent application that the documents have been considered.

Dated: April 3, 2002

Respectfully submitted,

By 

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<sup>2</sup> EXHIBIT B.